

The Committee, however, accepting the independence of Korea as a recognized international fact, ventures in the first place to offer to Your Lordship some observations upon the Treaty as a whole, and, in the second to consider separately

The Committee assumes that Her Majesty's Government has had some urgent reason, arising out of the political situation, for pushing forward to a rapid conclusion the negotiations with the Korean Authorities, but admitting that there were good grounds of policy for entering to immediate relations with the Country, the Committee respectfully submits that that object could have been as successfully and much more

conveniently attained if preliminary negotiations had been confined to drawing up a short Treaty, expressive of national amity and providing generally for political and commercial intercourse, leaving a Tariff of Duties, and the special conventions under which foreign trade is to be carried

to be supplementary and carefully considered convention.

It is not disputes which have arisen about the interpretation to be placed upon certain clauses of the Treaty of Tientsin which the importance of drafting with peculiar care agreements, affecting national interests, which have been the cause of the misunderstanding and of obscurities even to the Chinese, who are cognate as that of China, so as to avoid all misunderstanding when the stipulations and conditions are observed on either side come to be made effective.

It is not, therefore, to be supposed that I perceive that the diplomatic instrument signed by Admiral Willems at Jin Chuan in June last, has been very loosely compiled in point of form, and that it is therefore of no importance. It has been very carefully and with great precision has been expressed in the Chinese language, and further that imperfections, similar to those now generally recognized as existing in the Chinese, with a blue paper, have been contemplated and caused to be corrected. Moreover, after a careful consideration of the whole scope of the document, the Committee is of the opinion that the limitations, which some of the clauses of the proposed Convention for international trade, will not only be injurious to the operation of the Treaty itself, but will seriously prejudice the position hitherto consistently maintained by the Representatives of Western Powers in China.

There can be no doubt that, notwithstanding the vast material benefits which have resulted from the people of China during the last 20 years from the great increase in all branches of the foreign and coasting trade of the Empire, excepting, of opinion, which has taken place and been the most serious consequence of the extended foreign intercourse opened by the Treaty of Tientsin, the ruling Classes of China are actuated at the

cessant time by a desire to restrict, as far as
 possible, the application of foreign capital and
 territories to the further development of the
 resources of the country. The Committee may
 possibly have been mistaken in its view that
 such attempts would be successful. It is
 possible that the Government of China may
 have been misled by the fact that the
 textile manufacturers in Shanghai, who
 are under foreign auspices at Shanghai, have
 in the present unsatisfactory attitude of
 American Authorities, and earnestly desired to
 draw Your Lordship's attention to the great
 question of strength which the reactionary
 Government in China would derive from the stipulations
 of a Treaty, voluntarily entered into by the
 Western Powers with a dependency of the
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pupire, if the opponents of progress should be
 able to point to conditions of exclusion, disad-
 vantageous to the foreigner, which have been
 allowed to the Tributary State but are denied to
 the Country of the Suzerain.
 In conclusion of these general remarks Your
 Lordship need hardly be reminded of the
 policy which would be placed in the way of a

...cessful conduct of the existing negotiations
...a revision of the Treaty with Japan, if the
...ments of Her Majesty's Minister at Yedo,
...in favour of the adoption of a liberal foreign
...by the Japanese Cabinet, should be met
...the Government of Japan, should be met
...at agreement with Great Britain.

Proceeding now to consider some of the special
...ulations of the Treaty.

Article 2—relates to the character of official
...tions and communication between the two
...tries, with which it is mainly the province
...this Chamber to deal, but so great has been
...inconvenience sustained in former years by
...Merchants in China under the provisions of
...Treaty of Nanjing, which seriously hindered
...a communication between British Consular

The Committee feels it necessary to advert to the paragraph in the first clause of this article which stipulates that "Officials shall have relations with the corresponding local authorities on an equal rank upon a basis of mutual equality." This stipulation is a very vague one according to the English text, and what it may imply in the Chinese text the Committee is unable to say. It may be read in several different

Country may only communicate with Officers of the same rank in the other. The war in China, commenced in 1856, would probably have been averted if Consul Parkes could have been spared for personal communication with Governor General Yeh, and the Committee regret the expediency of providing that the Commissioned Officers of both Countries, whether Civil, Military, or Maritime, shall be entitled to hold direct intercommunication on terms of social equality while observing the ordinary rules of the Chinese relations to foreigners.

Article 3. In the clause which provides that the Chinese vessel shall wish her cargo to be sealed and confirmed if found engaged in a clandestine trade, it is remarkable for repeating a phrase short-

in the Tientsin Treaty which has been occasion of a lasting controversy. Under article a vessel, alleged to be engaged in trading to a port not opened by the Treaty, may be confiscated by the Korean Authorities of their own motion, and with or without trial, without to no investigation by, or appeal to, British Officials.

The Committee desires to enter the strongest protest against the confirmation of this clause, on two grounds.

1.—That the system of jurisprudence in Korea has not yet attained a status sufficiently advanced to justify such a procedure.

being placed in the decisions of Korean Officials who would be judges in their own cause without appeal, and

did.—Because the power of confiscation is granted without the safeguard of any provision as to the nature of the proceedings which shall be taken to prove that the vessel shall have been really guilty of the offence with which it may be charged.

the Treaty between Japan and Korea provides that in the event of a Japanese vessel being engaged in smuggling goods "into non-open port in Korea, it shall be seized by

to Korean local Authorities, and delivered over to the agent of the Japanese Government residing at the nearest port. Such goods to be confiscated by him, and to be handed over to the local Authorities."

Article 5.—Mainly relating to fiscal obligations, the Committee cannot conceal its surprise at the clause relating to the wreckage of British Vessels on the Coast of Korea, the local Authorities should be made responsible not only for making the necessary measures for rendering assistance to the Crew, and saving the Vessel and cargo, but also for inflicting criminal punishment upon all plunderers or wreckers.

Article 6.—Mainly relating to fiscal obligations, the Committee cannot conceal its surprise

regret that after the experience which has resulted from the unsatisfactory working of the present Tariff Treaty, owing to the looseness of certain of its stipulations which provide for and fix the Tariff of Duties, H. M.'s Representatives should have given his attention to clauses which should fail in operation to relieve, in the case of Korea, difficulties and controversies arising to those which have arisen and still exist in carrying on trade with China.

It is no doubt necessary to concede to Korea, in principle, the right to levy duties and protect her own Revenue laws, but before the Tariff Treaty the Government is assented to, the

Government, as having had no previous experience in such matters, may reasonably be desired to furnish to the British (British) subjects for adjudication in the case of a breach of such rules. The want of such a Code, and the absence of any provision in the Tientsin Convention for a system of trial or adjudication, led to the grossest miscarriage of justice during the reign of the establishment of the Foreign Consular Consulates (Inspector of Customs) in China, and that the Government will take adequate precautions for the protection of the property of British subjects against Customs seizures when Korea comes open to foreign trade.

of 10 per cent, upon Imports is not exco- | use-

